

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Toraino Cardel Spencer

Docket No. 5:14-CR-254-4D

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Toraino Cardel Spencer, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute a Quantity of Cocaine Base (Crack) and a Quantity of Cocaine, in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(C), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 9, 2015, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years supervised release.

On June 11, 2021, the defendant's case was reassigned to the Honorable James C. Dever III, U.S. District Judge.

Toraino Cardel Spencer was released from custody on July 15, 2022, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

Per the Judgment and Commitment Order, Spencer was ordered by the court to pay a \$100 special assessment and \$4,000 fine. The court also ordered that the defendant pay the monetary penalties immediately, and if the judgment imposes imprisonment, payment of the criminal monetary penalties shall be due during the term of imprisonment. As previously noted, Spencer was sentenced to a term of imprisonment. While incarcerated, he paid the special assessment in full and \$2,322.95 toward the fine; however, he has outstanding balance of \$1,677.05. The defendant is currently employed as a laborer with Regulator Marine in Edenton, North Carolina. Notwithstanding, Spencer is unable to pay the outstanding monetary obligation in full as ordered by the court. As such, it is respectfully recommended the defendant be allowed to pay the outstanding balance at the rate of at least \$50 per month beginning September 19, 2022. Spencer signed an agreement to pay said amount.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall pay to the Clerk of Court at least \$50 per month beginning on September 19, 2022, and continuing each month until paid in full.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Lakesha H. Wright
Lakesha H. Wright
Senior U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: August 1, 2022

ORDER OF THE COURT

Considered and ordered this 8 day of August, 2022, and ordered filed and made a part of the records in the above case.

J. Dever
James C. Dever III
U.S. District Judge